

Message Text

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44

ACTION DHA-02

INFO OCT-01 EA-07 IO-13 ISO-00 ORM-02 SSO-00 NSCE-00

USIE-00 INRE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 AID-05

OMB-01 TRSE-00 DPW-01 /072 W
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O R 221027Z JUL 76

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC IMMEDIATE 1329

INFO USMISSION GENEVA IMMEDIATE

AMEMBASSY RANGOON

AMEMBASSY BANGKOK

AMEMBASSY JAKARTA

AMEMBASSY KUALA LUMPUR

AMEMBASSY MANILA

AMEMBASSY SINGAPORE

AMEMBASSY TAIPEI

AMEMBASSY TOKYO

C O N F I D E N T I A L HONG KONG 8629

E.O. 11652: GDS

TAGS: SREF

SUBJECT: INDOCHINESE REFUGEES: BOAT CASES: MV AVA

REF: A) HONG KONG 8595 B) STATE 180673 C) HONG KONG 8507

D) GENEVA 5718

1. THE AVA ENTERED HARBOR OFFICIALLY TO LOAD AND UNLOAD CARGO MORNING JULY 22 AND IS AT A PROTECTED ANCHORAGE. SHE HAS BEEN BOARDED BY RED CROSS WHO HAVE ASCERTAINED THAT THERE ARE NO MEDICAL PROBLEMS AND VIETNAMESE ARE IN GOOD SHAPE. NO PRESS HAS BEEN ALLOWED ABOARD SO FAR. SHIP WILL PROBABLY STAY FOR AT LEAST FIVE DAYS.

2. WE HAVE TALKED TO POLITICAL ADVISER DONALD TWICE TODAY
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STRESSING THAT WE COULDN'T HELP HONG KONG WITH "THEIR

PROBLEM" UNLESS REFUGEES CAME ASHORE. HKG POSITION IN THESE AND OTHER TALKS AT DIFFERENT LEVELS FORMALLY REMAINED FIRM THAT NOTHING COULD BE DONE FOR REFUGEES WHICH WOULD CREATE IMPRESSION THAT A PRECEDENT HAD BEEN ESTABLISHED WHICH WOULD MAKE HONG KONG SOME FORM OF A REFUGEE PROCESSING CENTER. ALL ARGUMENTS SET FORTH REF C WERE REITERATED.

3. POLAD HOWEVER DOES SEEM TO WISH TO SETTLE THIS PROBLEM AND IS LOOKING FOR A WAY TO PERSUADE TOP LEVELS OF HKG TO ALLOW REFUGEES TO DEBARK. HE HAS COME UP WITH A DRAFT PUBLIC STATEMENT WHICH, AS HE INTERPRETED VARIOUS PARTS OF IT IN OUR DISCUSSIONS, GOES QUITE A WAY IN THE DIRECTION WE SEEK, PARTICULARLY IN STRESSING INTERNATIONAL ASPECT OF PROBLEM. HE WOULD SAY FOR EXAMPLE THAT THE HKG IS CONCERNED ABOUT THE FUTURE WELL BEING OF THE VIETNAMESE ON BOARD THE AVA AND IS ALSO WILLING TO PLAY ITS PART IN "HELPING TO SOLVE THE PROBLEM OF THEIR PERMANENT SETTLEMENT IN COUNTRIES OF THEIR CHOICE. THE GROUP REPRESENTS A SERIOUS HUMAN PROBLEM BECAUSE THEY WERE RESCUED FROM THE SEA AND THEREBY HAVE A CLAIM TO SYMPATHY AS SURVIVORS FROM THE SEA. "THE TREATMENT OF THIS KIND OF DISTRESSED PERSON MUST BE OF INTERNATIONAL CONCERN. INDEED, THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES HAS ALREADY SAID THAT IF THE REFUGEES WERE ALLOWED TO DISEMBARK IN HONG KONG, HE WOULD ASSUME RESPONSIBILITY FOR THE COSTS OF THEIR CARE AND MAINTENANCE IN HONG KONG AND WOULD UNDERTAKE TO FIND PERMANENT HOMES ELSEWHERE. THE HONG KONG GOVERNMENT WELCOMES THIS INTEREST BY THE UNHCR."

4. PERHAPS THE KEY PORTION OF THE DRAFT WHICH INDICATES A WAY OUT OF THE PROBLEM IS AS FOLLOWS: "THE HKG REMAINS READY TO OFFER TRANSIT FACILITIES FOR THESE PEOPLE IN HONG KONG AND TO HELP ARRANGE THEIR ONWARD JOURNEYS BY AIR OR SEA ONCE WE RECEIVE SUITABLE ASSURANCES THAT THE UNHCR OR OTHER COUNTRIES ARE PREPARED TO ASSIST HONG KONG." POLAD POINTED OUT THAT THE KEY LAY IN THAT "ASSIST HONG KONG" HAD BEEN SUBSTITUTED FOR PHRASES INDICATING THAT A CONDITION WOULD BE THAT OTHER

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COUNTRIES WERE PREPARED TO "ADMIT" THE REFUGEES TO THEIR COUNTRIES. OBVIOUSLY, BOTH UNHCR AND THE UNITED STATES ARE PREPARED TO HELP HONG KONG.

5. I BELIEVE THAT AT THIS STAGE IT WOULD BE HELPFUL TO HAVE SOME GENERAL STATEMENT FROM THE UNHCR WHICH STRESSES THE INTERNATIONAL RESPONSIBILITY FOR ALL ASPECTS OF SUCH REFUGEE CASES. REF D INDICATES ONLY THAT THE UNHCR HAS

ASKED HONG KONG ITSELF TO ACT.

6. ALTHOUGH NONE OF THE FOREGOING IS DEFINITIVE AND HAS NOT BEEN CLEARED UPSTAIRS WITH HKG, WE HAVE PUSHED THE HKG SOMEWHAT DOWN THE LINE. DEPENDING UPON RESULTS OF THEIR INTERNAL DISCUSSIONS TOMORROW WE WILL BE COMING UP WITH SUGGESTIONS FOR FURTHER MEANS OF PRESSURE ON THEM.
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